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Security Council

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Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

Letter dated 18 December 2009 from the Permanent Mission of Canada to the United Nations addressed to the Chairman of the Committee

Report of Canada on the implementation of measures decided by the Security Council in resolution 1591 (2005)

In his letter to the Permanent Representative of Canada to the United Nations, dated 29 October 2009, and further to the Security Council's request in subparagraph 5 of resolution 1891 (2009), the Chairman of the Security Council Committee requested information on steps taken by Canada to implement the measures imposed by subparagraphs 3 (d) and (e) and paragraph 7 of resolution 1591 (2005), namely a travel ban, an assets freeze and an arms embargo, respectively.

Canada is pleased to inform the Committee of the steps taken to implement those measures, which are for implementation by all States.

Arms embargo (paragraph 7). The first implementation step was taken on 23 September 2004, with the coming into force of the *United Nations Sudan Regulations* (SOR/2004-197) (the *Regulations*) (http://gazette.gc.ca/archives/p2/2004/2004-10-06/html/index-eng.html), made by the Governor in Council of Canada to implement the arms embargo against non-governmental entities, including the Janjaweed militia, operating in the Darfur region of western Sudan, imposed by the Security Council in resolution 1556 (2004). The *Regulations* prohibit the export or supply of arms and related technical assistance to anyone in Sudan by anyone in Canada or by any Canadian outside of Canada. They also prohibit the use of Canadian registered ships or aircraft for the same purposes. Anyone who contravenes those prohibitions is liable to imprisonment for a term of not more than 10 years or a fine of C$100,000. The *Regulations* provide for exemptions for verification, monitoring or peace support missions, including such operations led by regional international organizations, which are authorized by the United Nations or are operating with the consent of the relevant parties.

The *Export and Import Permits Act* also assists in the implementation of United Nations Security Council trade sanctions. The *Export Control List* (ECL) is a

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list of goods that the Governor in Council of Canada deems necessary to control for enumerated purposes. Permits are required for the export of goods on the *Export Control List*. Under current export control policy guidelines, Canada closely controls the export of military goods and technology to countries that are under United Nations Security Council sanctions. No permits have been issued for any export of military goods and technology to the Sudan for several years — with the exception of the provision of military supplies, at the request of the African Union and the United Nations, to the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and its predecessor, the African Union Mission in Sudan (AMIS).

Travel ban (subparagraph 3 (d)): Canada's *Immigration and Refugee Protection Act* enables Canada to prevent the entry into or transit through its territory of all persons to be designated by the Committee pursuant to subparagraph 3 (e) of resolution 1591 (2005).

Assets freeze (subparagraph 3 (e)): On 2 May 2005, the Governor in Council of Canada made *Regulations Amending the United Nations Sudan Regulations* (SOR 2005-122), to implement the freeze of funds, other financial assets and economic resources in Canada, owned or controlled directly or indirectly by persons designated pursuant to subparagraph 3 (e) of resolution 1591 (2005) or held by entities owned or controlled, directly or indirectly, by such persons or by persons acting on their behalf or at their direction. Those regulations which updated the original *United Nations Sudan Regulations* following the adoption of resolution 1591 (2005), prohibit, subject to the same penalties as mentioned above for the arms embargo, the dealing in funds, other financial assets and economic resources belonging to such persons or entities and the provision of properties of any kind to them. They also give effect to new exemptions to the arms embargo, decided by the Security Council in resolution 1591 (2005).